Response to Office Action of 06/03/2010
Atty. Docket No.: 34112-002
Nilsson *et al.*

REMARKS

Claims 1-31 are presented for examination. Claims 1 and 25 are currently amended.

New Claim 31 is added. Claims 29 and 30 are withdrawn from consideration.

Claim 1 has been amended to remove the cyclic definition of R^9 and R^{10} by introducing

terminal $R^{9'}$ and $R^{10'}$ groups. Some compounds have been deleted from Claim 1 as being

superfluous, such as "-XNRaRb" in the definition of R^7. In Claim 1, C_1-C_4 alkylenyl is also

defined as X'. In the definition of R^7, -NRb-X-R^9 is amended to be -NRb-X'-R^9, and -O-X-R^9 is

amended to be -O-X'-R^9 to avoid overlap with -X-O-R^9. Similarly, in the definition of R^{10}, X' is

included, such as in -NRb-X'-$R^{9'}$. R^9 is also replaced with $R^{9'}$ in the definition of R^{10} to clarify

endgroups.

A definition of $R^{9'}$ is inserted for clarity, and is an endgroup corresponding to R^9. A

definition of $R^{10'}$ is further added. As with $R^{9'}$, the $R^{10'}$ is an endgroup corresponding to R^{10}.

$R^{10'}$ has additional variables when R^6 is monocyclic substituted by an aryl or a 5 or 6 membered

heteroaryl moiety itself substituted by morpholinyl, piperidinyl or a piperazinyl group. Support

for the additional variables is found at least in page 7, lines 13-14 and page 7, lines 26-34 of the

specification and in original Claim 20.

Claim 1 has also been amended to cover solvates instead of a "prodrug." Support for this

amendment is found at page 16, lines 11-12 of the specification.

Claim 25 has been amended to replace -O-X-R^9 with -O-X'-R^9, and -NRb-X-R^9 is

amended to -NRb-X'-R^9 to remove redundancy.

New Claim 31 is added which is drawn to the compound of Example 8.19 or salts and

solvents thereof. Support for the amendment is thus found in the specification at least at Table 1.

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The Specification has been amended to remove potentially unclear parenthetical mention of Example numbers in the description in response to the Office Action's objections.

No new matter has been added by the amendments. Entry is respectfully requested.

Specification objections

The Office Action objected to, for example, the recitation of "Example 8.18" on page 68 at lines 19-20. The Office Action alleged that the chemical structure described on page 68 of the specification does not correspond to the chemical structure of Example 8.18 from Table 1. Applicants respectfully submit that the text of the specification describes the intermediates used in the preparation of the Examples. Table 1 shows the structures of the Example compounds, whereas the text that follows only describes specific preparations which did not follow the standard protocol, such as the intermediates used. The Example numbers given in parentheses indicate the example compounds to which these preparations relate. Nevertheless, for clarity, the specification has been amended to remove parenthetical recitation of Examples 8.9, 8.15-8.23, 8.25-8.55, 8.57, 8.59-8.62, 8.64 and 8.65 in the descriptive text.

Rejection under 35 U.S.C. § 112, first paragraph

The Office Action rejected Claims 1-28 as failing to comply with the written description requirement. In particular, Claims 1-28 are rejected due to the recitation of a "prodrug" of a compound of Formula (I). Claim 1 has been amended to recite "solvate" instead of "prodrug." Applicants respectfully submit that this term would be readily understood by one of ordinary skill in the art.

Rejection under 35 U.S.C. § 112, second paragraph

The Office Action rejected Claims 1-28 as being indefinite. The Office Action alleged that the definitions of R^9 and R^{10} in Claim 1 contain circular definitions in which each variable is

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defined in terms of the other. Claim 1 has been amended to remove this circular definition by introducing variable X' and "endgroups" $R^{9'}$ and $R^{10'}$ and removing instances of overlap. $R^{9'}$ is an endgroup corresponding to R^9, and $R^{10'}$ is an endgroup corresponding to R^{10}. Thus, R^9 and R^{10} may be defined in terms of these endgroups rather than each other.

Conclusion

For all the reasons advanced above, Applicants submit that the application is in condition for allowance and that action is earnestly solicited.

Respectfully submitted,
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